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REMARKS

Claims 20-29, as amended, remain herein.

Claims 20 and 23 have been amended to recite: charging plural receivers in a common group indicated by the group ID number a billing amount charged for one receiver even if a portion of a data stream is individually received from the transmitting end by plural receivers in the common group. See applicant's specification, page 24, lines 10-13. Claims 20 and 23 also have been amended to recite selectively applying either a billing amount charged for one receiver or a billing amount for said common group. See applicant's specification, page 22, lines 22-24.

Claims 30-33 have been cancelled without prejudice or disclaimer.

This Amendment places all claims 20-29 in condition for allowance, and surely in better condition for any appeal. Thus, entry of this Amendment and allowance of all claims 20-29 are respectfully requested.

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1. Claims 20-28 and 30-32 were rejected under 35 U.S.C. §103(a) over Kitada U.S. Patent 5,606,611, Matsuzaki et al. U.S. Patent 6,289,314 (and Saito U.S. Patent 5,901,339 mentioned in the Office Action at page 3, second paragraph). Claims 30-32 have been cancelled, thereby mooted their rejection

The presently claimed data stream transmission and reception method includes receiving, in accordance with a reception contract, by plural receivers that have individual ID numbers and belong to a common group, a data stream transmitted from a transmitting end, managing a reception contract on the basis of individual ID numbers or a group ID number, charging plural receivers in a common group indicated by the group ID number a billing amount charged for one receiver even if a portion of a data stream is individually received from the transmitting end by plural receivers in the common group, and selectively applying either a billing amount charged for one receiver or a billing amount for said common group. This method is nowhere disclosed or suggested in the cited reference.

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Thus, the presently claimed method comprises one receiver being charged even when plural receivers belonging to a common group are receiving the same program.

The Office Action cites Kitada '611 as allegedly disclosing managing the reception contract on the basis of the individual ID numbers or the group ID number, and admits that Kitada '611 does not disclose charging for one receiver even if a portion of the data stream is received by plural receivers in the common group. In fact, Kitada '611 describes terminals connected to a local server, which receives the data stream from the transmitting end, so that only the server is billed. Kitada '611 discloses a system including a group ID number and an individual ID number (decoder number), and by providing such numbers, receiving stations are divided into plural groups, and when the work key and the contract information are rewritten in the divided group unit, rewriting of those contracts can be performed collectively per each divided group. Thereby, Kitada '611 enables rapid rewriting of contract information as a group instead of longer rewriting utilizing individual information. However, as admitted by the Office Action, Kitada '611 does not

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clearly disclose "charging plural receivers in a common group indicated by the group ID number a billing amount charged for one receiver even if a portion of a data stream is individually received from the transmitting end by plural receivers in the common group" recited in applicant's claims 20 and 23. The Office Action cites Matsuzaki '314 as allegedly teaching such deficiencies of Kitada '611.

Matsuzaki '314 discloses transmitting a broadcast signal from the broadcasting station to the receiving terminal through the server of each home, wherein the amount charged to each receiver is previously determined according to the number of receiving terminals connected to the server. Therefore, Matsuzaki '314 does not disclose "selectively applying either a billing amount charged for one receiver or a billing amount for said common group," as recited in applicant's claims 20 and 23.

Matsuzaki '314 describes a receiving terminal connected to a server, such receiving terminal for receiving a data stream from the transmitting end via the server so that only the server is charged. But, such receiving terminal receives a data stream not from the transmitting end, but instead, from the server.

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Only the server receives a data stream from the transmitting end, which is contrary to applicant's claims 20 and 23. Matsuzaki '314 does not disclose charging a billing amount charged for one receiver when data is received from the transmitting source individually by each member of the plural receivers belonging to a common group. Thus, Matsuzaki '314 does not disclose receiving, in accordance with a reception contract, by plural receivers that have individual ID numbers and belong to a common group, a data stream transmitted from a transmitting end, managing a reception contract on the basis of individual ID numbers or a group ID number, and charging plural receivers in a common group indicated by the group ID number a billing amount charged for one receiver even if a portion of a data stream is individually received from the transmitting end by plural receivers in the common group, as recited in applicant's claims 20 and 23.

The Office Action, page 3, second paragraph, cites Saito '339 as allegedly teaching a comprehensive contract in CATV that permits viewing general channels, and in addition, the descramble contract permits viewing special programs. However,

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the comprehensive contract in Saito '339 means a contract that permits a user viewing general channels with no additional charge in a receiving terminal, but does not disclose charging plural receivers in a common group indicated by the group ID number a billing amount charged for one receiver even if a portion of a data stream is individually received from the transmitting end by plural receivers in the common group, as recited in applicant's claims 20 and 23. If the comprehensive contract in Saito '339 is applied to plural receiving terminals, it would become necessary for each receiving terminal to pay the fixed fee in order to view general channels, and additionally, to pay an additional fee to view special programs. Therefore, Saito '339 is different from applicant's charging plural receivers in a common group indicated by the group ID number a billing amount charged for one receiver even if a portion of a data stream is individually received from the transmitting end by plural receivers in the common group.

For the foregoing reasons, none of Kitada '611, Matsuzaki '314 or Saito '399 contains any teaching, suggestion, reason, motivation or incentive that would have led one of ordinary

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skill in the art to applicant's claimed invention. Nor is there any disclosure or teaching in any of these references that would have suggested the desirability of combining any portions thereof effectively to anticipate or suggest applicant's presently claimed invention. Claims 21 and 22, which depend from claim 20, are allowable for the same reasons explained herein for claim 20, and claims 24-28, which depend from claim 23, are allowable for the same reasons explained herein for claim 23. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

2. Claims 29 and 33 were rejected under 35 U.S.C. §103(a) over Kitada '611, Matsuzaki '314, Saito '339 and Ellis U.S. Publication 20010010095 (The rejection of claim 33 is not listed, but is stated at paragraph 17 in the Office Action.) Claim 33 has been cancelled, thereby mooted its rejection.

Claim 29, which depends from claim 22 or 24, is allowable for the same reasons explained herein for claims 20 and 23.

Moreover, the Office Action cites Ellis '095 as allegedly teaching the descriptor being an event information table of

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service information in a data stream. But, Ellis '095 does not provide the deficiencies of Kitada '611, Matsuzaki '314 and Saito '339 explained herein.

For the foregoing reasons, none of Kitada '611, Matsuzaki '314, Saito '399 or Ellis '095 contains any teaching, suggestion, reason, motivation or incentive that would have led one of ordinary skill in the art to applicant's claimed invention. Nor is there any disclosure or teaching in any of these references that would have suggested the desirability of combining any portions thereof effectively to anticipate or suggest applicant's presently claimed invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

All claims 20-29 are now proper in form and patentably distinguished over all grounds of rejection stated in the Office Action. Accordingly, allowance of all claims 20-29 is respectfully requested.



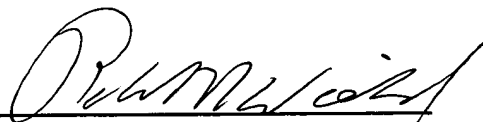
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Should the Examiner deem that any further action by the applicant would be desirable to place this application in even better condition for issue, the Examiner is requested to telephone applicant's undersigned representatives.

Respectfully submitted,

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December 16, 2004  
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